



Board of Adjustment Case Report

City of Raleigh
Planning & Development Department
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

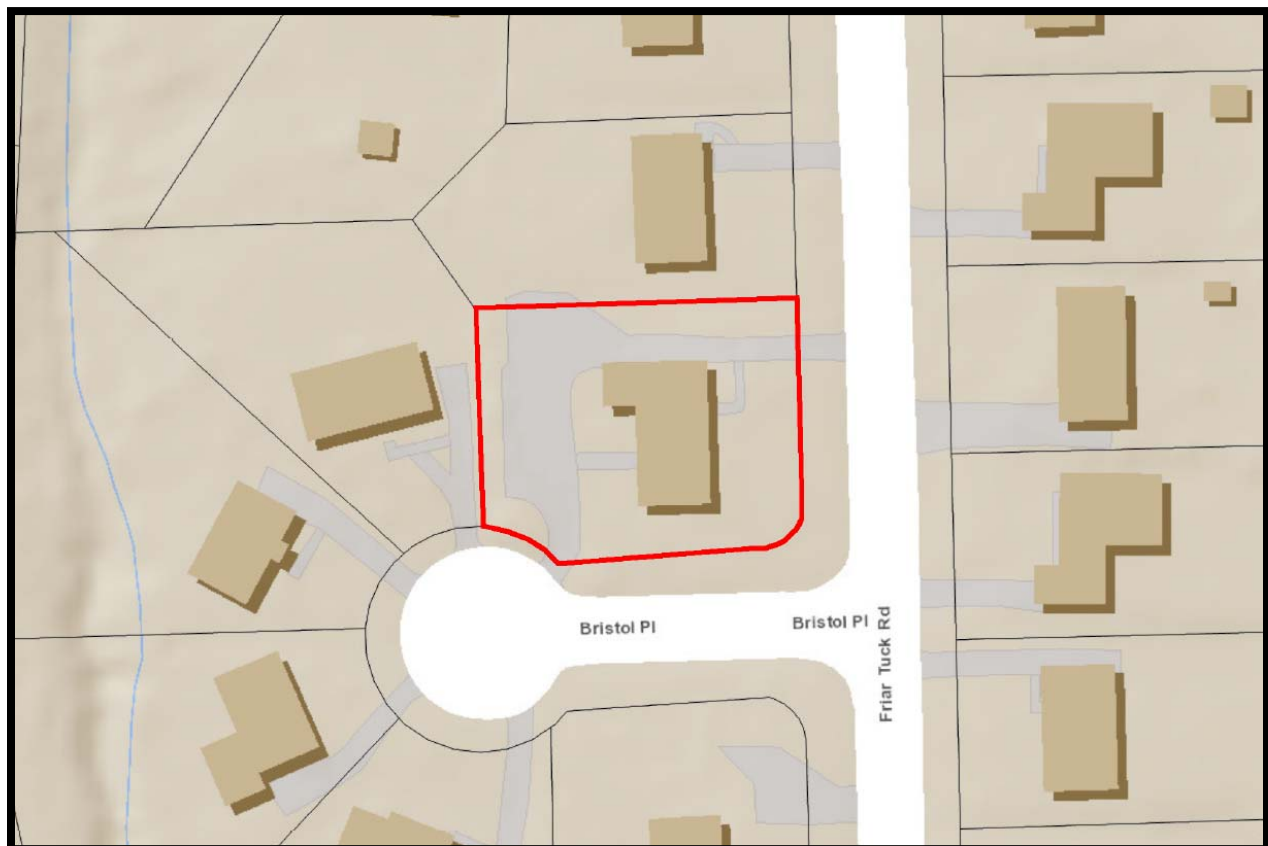
Case File: A-46-17

Property Address: 834 Friar Tuck Road

Property Owner: TX Limited Partnership

Project Contact: Alberta Forno

Nature of Case: Request for a special use permit to establish a Day Care Center with up to 16 enrollees pursuant to Section 6.4.1.C. and 10.2.9. of the Unified Development Ordinance on a .29 acre parcel zoned Residential-6 and located at 834 Friar Tuck Road.



834 Friar Tuck Road – Location Map

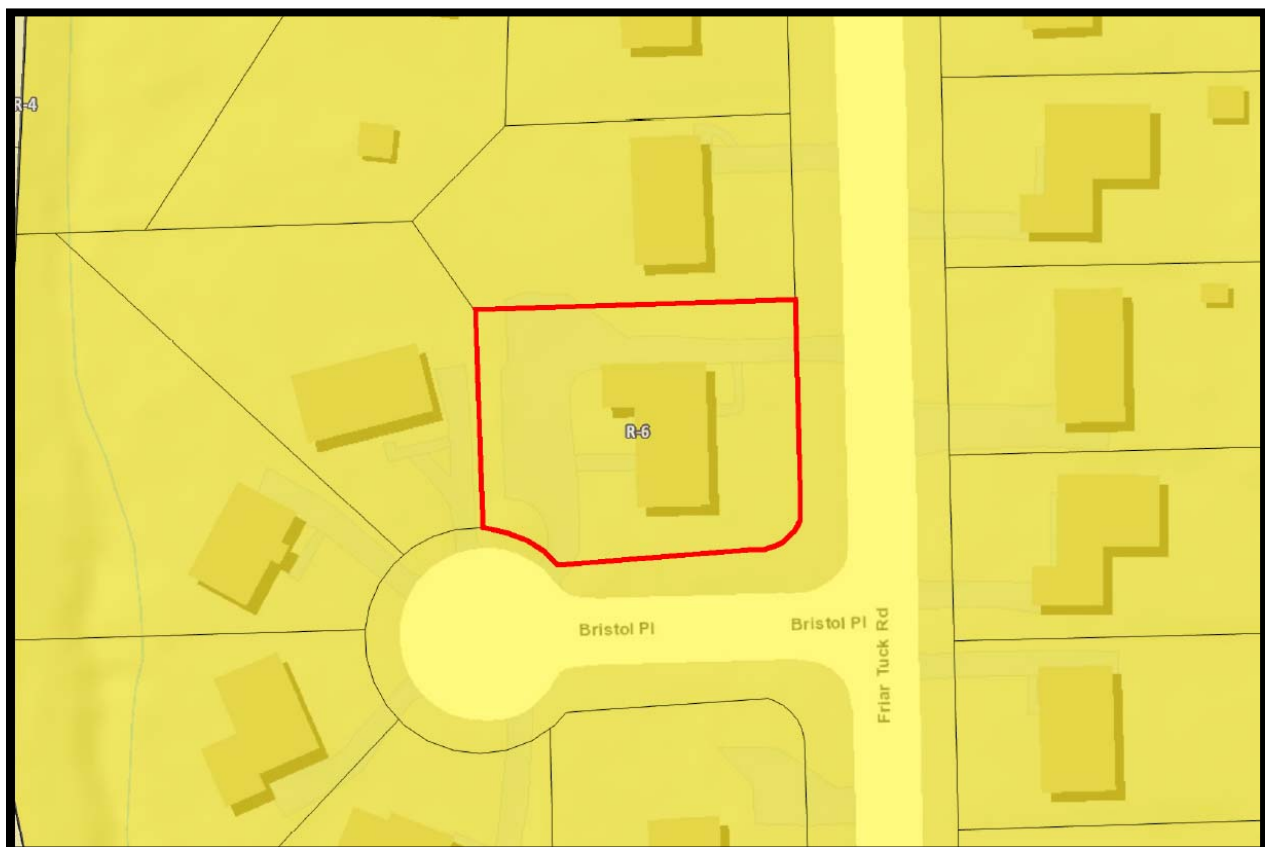
**ADDITIONAL
NOTES:** None

**PREVIOUS
VARIANCES:** None

To BOA: 4-10-17

Staff Coordinator: Eric S. Hodge, AICP

Zoning District: Residential-6



834 Friar Tuck Road – Zoning Map

SHOWINGS: In accordance with UDO §10.2.9 Special Use Permit, before a Special Use Permit request is granted, the Board of Adjustment shall show that all of the following are met:

1. The proposed use complies with all applicable provisions of this UDO unless otherwise expressly modified in accordance with this UDO;

2. The proposed use is allowed as a special use in the respective zoning district (see Chapter 6. Use Regulations);
3. The proposed use complies with any specific use standard listed in Chapter 6. Use Regulations without the granting of any variance to the specific use standard;
4. The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics;
5. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset or the special use is denied;
6. Access with respect to pedestrian, bicycle and automotive safety, traffic flow and emergency service is adequate;
7. Signage is suitable and appropriate; and
8. Any appropriate dedications of streets and utilities to the public will be made prior to the issuance of a building permit.

Sec. 6.4.1.c. C. Day Care Center

1. Defined

A day care for more than 8 persons where staffing complies with state and local regulations. Includes nursery school and preschool.

2. Use Standards

a. In a Residential District, the following minimum lot areas per enrollee apply:

- i. R-1, R-2, and R-4: 1,040 square feet;
- a. R-6: 640 square feet; and (*Staff Note: The property is sized to accommodate 19 enrollees under this requirement.*)
- ii. R-10: 240 square feet.

b. In a Residential District, 1 unlit announcement sign is allowed, not to exceed 2 square feet in area and 3½ feet in height.

c. In a Residential District, a Type A1 or A2 transitional protective yard (see Sec. 7.2.4.A.) must be established along any side of the property abutting a residential use.

d. In a Residential District, a Type C2 street protective yard (see Sec. 7.2.4. B.) must be established along all property lines abutting a public right-of-way.

e. Must comply with all state and local standards.

Sec. 7.2.4. Protective Yards

A. Transitional Protective Yards

1. A transitional protective yard is required along perimeter lot lines:

a. For specific uses as set forth in Chapter 6. Use Regulations (type as specified); and

b. Where an IH District abuts any other district other than an IH District a Type B1 or B2 transitional protective yard must be installed.

Type A1: 6.5' wall, 6' wide yard, 4 shade trees spaced over every 100' linear feet.

Type A2: 6.5' fence, 10' wide yard, 4 shade trees and 4 understory tree spaced over every 100' linear feet.

B. Street Protective Yard

1. A street protective yard is required along the edge of the street right-of-way:

a. For specific uses as set forth in Chapter 6. Use Regulations (type as specified); and

b. Where an IH District is across the street from any other district other than an IH District, a Type C1 or C2 street protective yard must be installed.

2. A required street protective yard may be replaced with a tree conservation area that meets the requirements of Article 9.1. Tree Conservation

3. The protective yards in Special Highway Overlay Districts 1 and 2 (Sec. 5.3.1. D.) take the place of any street protective yard required in Sec. 7.2.4.B.

Type C2: 15' wide yard, 4 shade trees spaced over every 100' of street right of way & 15 shrubs spaced over every 100' of street right of way.

Special Use Permit Application



RALEIGH For Subtext or Dat



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Nature of request (Submit addendum on separate sheet, if more space is needed.) I REQUESTING A SPECIAL USE PERMIT TO OPERATE A DAYCARE CENTER FOR 24 CHILDREN 3 EMPLOYEES | OFFICE USE ONLY |
| | Transaction Number A-46-17 |
| Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous special use permit request, provide the case number. | |

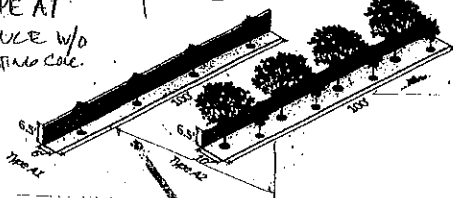
GENERAL INFORMATION

| | | |
|----------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------|
| Property Address 824 Friar Tuck Rd. Raleigh 27610 | | Date 3/9/17 |
| Property PIN 1713946355 | Current Zoning R-6 | |
| Nearest Intersection | Property size (in acres) .29 | |
| Property Owner TX LIMITED PARTNERSHIP | Phone 919 624 0288 | Fax |
| Owner's Mailing Address 918 ROCK QUARRY RD, RALEIGH NC 27610 | | |
| Email tngarl@gmail.com | | |
| Project Contact Person Alberta Forney | Phone 919 521 1908 | Fax 919 231 1181 |
| Contact's Mailing Address 838 Belmont Dr. Raleigh NC 27610 | | |
| Email akindgarden@gmail.com | | |
| Property Owner Signature <i>[Signature]</i> | | |
| Notary Sworn and subscribed before me this <u>8</u> day of <u>July</u> , 20 <u>16</u> | | Notary Signature and Seal <i>[Signature: Shelia M. Thomas]</i> |

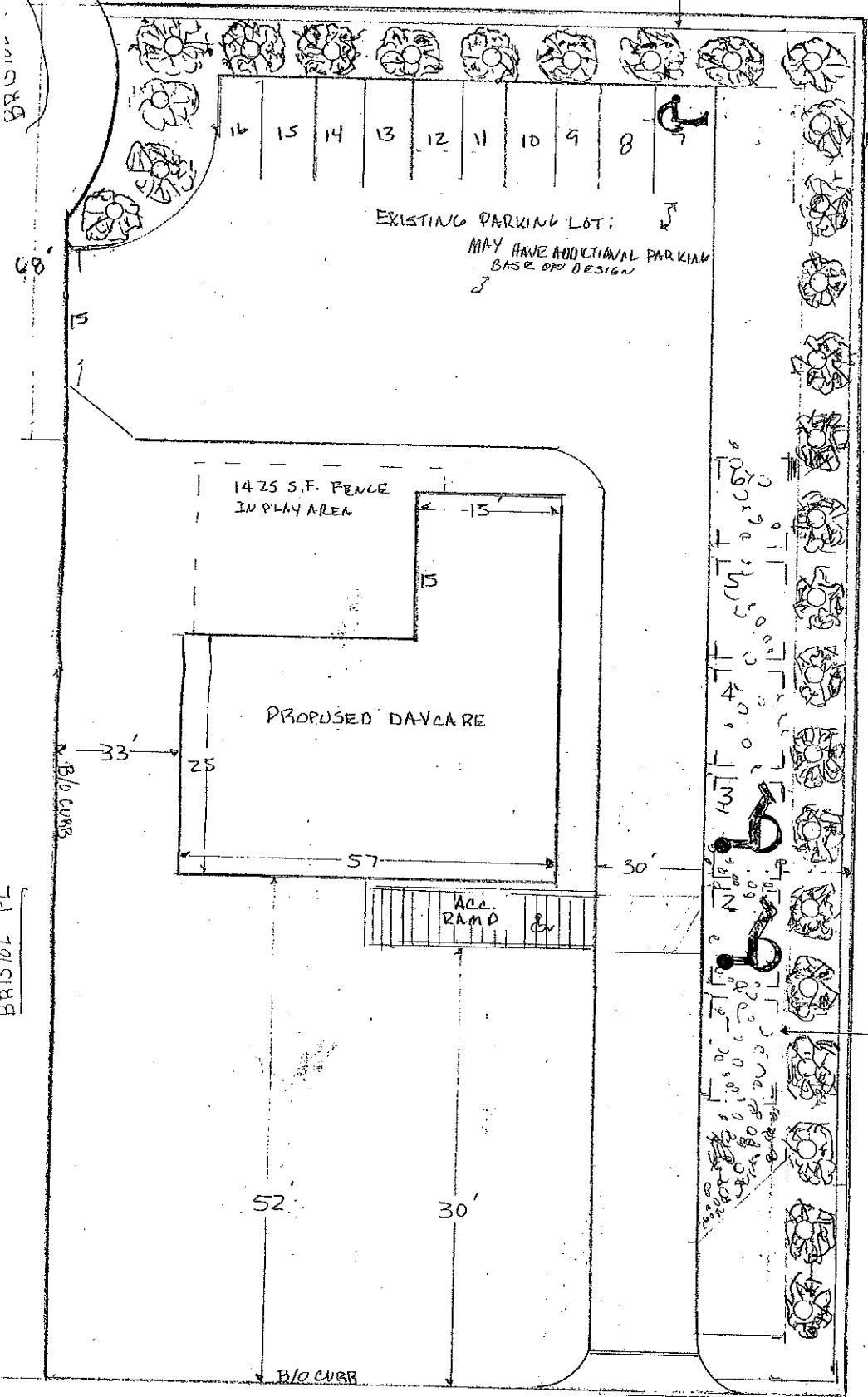
It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A Special Use Permit Application will not be considered complete until all required submittal components listed on the Special Use Permit Checklist have been received and approved.

TYPE A1
FENCE W/O
CURTAIN COLE.

(SEE ATTACHED SHEET)



TYPE A YARD
PROTECTION
LANDSCAPE
PROPERTY LINES



EXISTING PARKING LOT:
MAY HAVE ADDITIONAL PARKING
BASE ON DESIGN

1425 S.F. FENCE
IN PLAY AREA

PROPOSED DAYCARE

ACC.
RAMP

137'-145'

GRAVEL
PARKING
SPACES

FRIAR TUCK RD.

824 FRIAR TUCK RD.

N SCALE 3/32" = 1'

1713946355
TX LIMITED PARTNERSHIP LLLP
824 FRIAR TUCK RD
RALEIGH NC 27610-3633

1713944262
DAP-SL LLC
12432 CANOLDER ST
RALEIGH NC 27614-8819

1713944352
LEE, TYRECE LEE, DEIDRE
2601 BRISTOL PL
RALEIGH NC 27610-3621

1713945133
HUNTER, WILBERT L HUNTER, CORA M
2604 BRISTOL PL
RALEIGH NC 27610-3622

1713945337
O'NEAL, DAVID S O'NEAL, SIOBHAN E
2605 BRISTOL PL
RALEIGH NC 27610-3621

1713945540
JACKSON, MICHAEL C JACKSON, BRENDA
H
2604 BRADFORD PL
RALEIGH NC 27610-3620

1713946178
UPCHURCH, RACHEL S
832 FRIAR TUCK RD
RALEIGH NC 27610-3666

1713946444
HAYWOOD, SUSAN A HEIRS
BARBARA WORTH URQUHART
4700 WESTGROVE ST APT 710
RALEIGH NC 27606-1479

1713946543
HOUSTON, PRINCE L
816 FRIAR TUCK RD
RALEIGH NC 27610-3633

1713948254
ANDERSON, JUANITA HIGHSMITH
GODWIN, MICHELLE D
833 FRIAR TUCK RD
RALEIGH NC 27610-3632

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ORCHID HOMES LLC
PO BOX 23
MORRISVILLE NC 27560-0023

1713948348
MITCHENER, ALBERT A MITCHENER,
MAXINE B
825 FRIAR TUCK RD
RALEIGH NC 27610-3632

1713948435
BRADLEY, ZELLA M HEIRS
821 FRIAR TUCK RD
RALEIGH NC 27610-3632

